

PANEL: WEST/SOUTHCENTRAL

LOCATION: NELSON COUNTY JUSTICE CENTER, DISTRICT COURTROOM, 200 NELSON COUNTY PLAZA, BARDSTOWN, KENTUCKY

DATE: January 07, 2004

10:00 AM

PJ: BUCKINGHAM

EMBERTON

KNOPF

2002CA002531

STEVEN ATWELL VS COMMONWEALTH OF KENTUCKY

CRIMINAL

CRIMINAL

HART COUNTY

LARRY D. RAIKES

Appellant Atty:

Appellant Name:

.....  
DUERR, KEITH D

.....  
STEVEN ATWELL

Appellee Atty:

Appellee Name:

.....  
SEELIG, GEORGE G.  
STUMBO, GREGORY D.

.....  
COMMONWEALTH OF KENTUCKY  
COMMONWEALTH OF KENTUCKY



PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: January 07, 2004

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10:15 AM PJ: DYCHE COMBS JOHNSON

2002CA001403 THERESA GERSTLE VS SUE MOORE ET AL.

DEFAMATION: WHETHER VERDICT WAS SUPPORTED BY EVIDENCE; INSTRUCTIONS ON PRIVILEGE AND DAMAGES; EXAMINATION OF DEFENDANT'S FINANCIAL CONDITION; "EXCESSIVE" DAMAGES

CIVIL JEFFERSON COUNTY ANN O'MALLEY SHAKE

Appellant Atty:

Appellant Name:

.....  
WILLOCK, WILLIAM C

.....  
THERESA GERSTLE

Appellee Atty:

Appellee Name:

.....  
ADAMS JR, GARRY RICHARD

.....  
JENNET WRIGHTHOUSE

SUE MOORE

CLAY, THOMAS E.

JENNET WRIGHTHOUSE

SUE MOORE

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11:00 AM PJ: JOHNSON COMBS DYCHE

2003CA000522 COMMONWEALTH OF KENTUCKY VS MARJORIE SHAW

WHETHER THE TRIAL COURT ERRED BY SUPPRESSING CERTAIN EVIDENCE BECAUSE (1) ITS FINDINGS OF FACT WERE CLEARLY ERRONEOUS OR (2) ITS LEGAL CONCLUSIONS WERE INCORRECT.

CRIMINAL JEFFERSON COUNTY BARRY WILLETT

Appellant Atty:

Appellant Name:

.....  
ANDERSON, JEANNE D.

.....  
COMMONWEALTH OF KENTUCKY

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....  
ADAMS JR, JAMES BART

.....  
MARJORIE SHAW

\*\*NOTE:PREVIOUSLY SCHEDULED FOR 3:00 PM

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01:30 PM PJ: JOHNSON COMBS DYCHE

2002CA002617 COMMONWEALTH OF KENTUCKY VS WILLIAM STRINGER

WHETHER THE TRIAL COURT ERRED BY GRANTING THE APPELLEE'S MOTION TO AMEND HIS SENTENCE PURSUANT TO CR 60.02.

POST-CONVICTION PULASKI COUNTY WILLIAM T CAIN

Appellant Atty:

Appellant Name:

.....  
BOWDEN, JANINE COY

.....  
COMMONWEALTH OF KENTUCKY

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

Appellee Atty:

Appellee Name:

.....  
RUFF, BRIAN THOMAS

.....  
WILLIAM STRINGER

STUTSMAN, DENNIS

WILLIAM STRINGER

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: January 07, 2004

02:15 PM

PJ: JOHNSON

COMBS

DYCHE

2002CA001826

BRENDA CHILDERS VS MYRTLE CHILDERS ET AL.

DECEDENT'S ESTATE APPEALS FROM A DECLARATION OF RIGHTS AND ORDER CONSTRUING CERTAIN LANGUAGE INCLUDED IN THE DECEDENT AND APPELLEE'S PROPERTY SETTLEMENT AGREEMENT AS NOT CLEARLY AND UNAMBIGUOUSLY DIVESTING THE APPELLEE OF HER BENEFICIARY EXPECTANCY INTEREST IN THE DECEDENT'S LIFE INSURANCE.

CIVIL

JEFFERSON COUNTY

GEOFFREY P MORRIS

Appellant Atty:

Appellant Name:

.....  
MENEFEE, GREGORY CURTIS

.....  
BRENDA CHILDERS

Appellee Atty:

Appellee Name:

.....  
FINE, JAMES L.

.....  
VICKIE L. CHILDERS

HANLEY, JOHN V.

MYRTLE CHILDERS

TACKETT JR, VICTOR E.

BETTY ESCHMAN

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: January 08, 2004

09:30 AM

PJ: COMBS

DYCHE

JOHNSON

2002CA001209

DARRELL OWENS ET AL. VS JEFFERSON COUNTY FISCAL COURT ET AL.

SEPARATION OF POWERS CASE OF FIRST IMPRESSION INVOLVING THE POWER OF THE EXECUTIVE BRANCH TO DICTATE BOUNDARY- DRAWING TO A COUNTY FISCAL COURT BY VIRTUE OF A MANDATE FROM THE LEGISLATURE DELEGATING THAT POWER TO AN EXECUTIVE BRANCH OFFICIAL.

CIVIL

JEFFERSON COUNTY

THOMAS B. WINE

Appellant Atty:

Appellant Name:

.....  
FRIEDMAN, DAVID A.

.....  
CAROL LUMPKINS  
DARRELL T. OWENS

Appellee Atty:

Appellee Name:

.....  
KAPLAN, DAVID S.

.....  
JEFFERSON COUNTY FISCAL COURT  
REBECCA JACKSON  
JEFFERSON COUNTY FISCAL COURT  
REBECCA JACKSON  
JEFFERSON COUNTY FISCAL COURT  
REBECCA JACKSON  
JEFFERSON COUNTY FISCAL COURT  
REBECCA JACKSON

LILLY, N SCOTT

MAZE, IRVIN G.

SNYDER, SHERYL G.

11:00 AM

PJ: COMBS

DYCHE

JOHNSON

2002CA002183

CAROLE RENFRO VS E.P.I. CORPORATION

SUMMARY JUDGMENT IN FAVOR OF NURSING HOME IN LAWSUIT ALLEGING GROSS NEGLIGENCE IS CHALLENGED FOR FAILURE TO ADMIT CERTAIN EVIDENCE CLAIMED TO BE BOTH ADMISSIBLE AND HIGHLY RELEVANT.

CIVIL

JEFFERSON COUNTY

JUDITH E MCDONALD-BUR

Appellant Atty:

Appellant Name:

.....  
MATHEWS, JAMES KEVIN  
SCHURMAN, PAUL R.

.....  
CAROLE RENFRO  
CAROLE RENFRO

Appellee Atty:

Appellee Name:

.....  
LAUGHLIN, DIANE

.....  
E.P.I. CORPORATION  
E.P.I. CORPORATION

OLDHAM, WILLIAM K

PANEL: LOUISVILLE METRO

LOCATION: JEFFERSON COUNTY JUDICIAL CENTER, 10TH FLOOR APPELLATE COURTROOM, 700 WEST JEFFERSON STREET, LOUISVILLE, KENTUCKY

DATE: January 08, 2004

01:30 PM

PJ: COMBS

DYCHE

JOHNSON

2003CA000010

LOUISVILLE/JEFFERSON COUNTY OFFICE FOR ECONOMIC DEVELOPMENT VS MANUFACTURERS AND TRADERS TRUST COMPANY TRUSTEE

APPEAL OF LEDCO CHALLENGING DETERMINATION OF MASTER COMMISSIONER AS TO PRIORITY AMONG VARIOUS MORTGAGE CREDITORS IN AN ACTION OF FORECLOSURE

CIVIL

JEFFERSON COUNTY

STEPHEN P RYAN

Appellant Atty:

Appellant Name:

.....  
VISSMAN, PAUL F

.....  
LOUISVILLE/JEFFERSON COUNTY OFFICE FOR ECONOMIC DEVELOPMENT

Appellee Atty:

Appellee Name:

.....  
BRINKMAN, MICHAEL R

.....  
MANUFACTURERS AND TRADERS TRUST COMPANY TRUSTEE

MCDONOUGH, JAMES M

MANUFACTURERS AND TRADERS TRUST COMPANY TRUSTEE

02:15 PM

PJ: COMBS

DYCHE

JOHNSON

2003CA000085

ANTHONY JOHNSON VS COMMONWEALTH OF KENTUCKY

DRUG-TRAFFICKING CONVICTION CHALLENGED BASED ON ALLEGED ERROR IN INSTRUCTIONS, AN ILLEGAL SEARCH, AND FAILURE OF COURT TO PERMIT THE CALLING OF A MATERIAL WITNESS.

CRIMINAL

JEFFERSON COUNTY

GEOFFREY P MORRIS

Appellant Atty:

Appellant Name:

.....  
MCCALL, JOHN CASEY

.....  
ANTHONY D. JOHNSON

Appellee Atty:

Appellee Name:

.....  
RYAN, PERRY T

.....  
COMMONWEALTH OF KENTUCKY

STUMBO, GREGORY D.

COMMONWEALTH OF KENTUCKY

PANEL: EAST/SOUTHEAST

LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY

DATE: January 06, 2004

02:30 PM

PJ: MINTON

GUIDUGLI

MCANULTY

2003CA000553

RODNEY DERRINGER VS OMAR LOPEZ-SAMAYOA

THE PLAINTIFF BELOW APPEALS DEFENSE VERDICT FOLLOWING JURY TRIAL IN AUTO ACCIDENT CASE. HE ARGUES THAT TRIAL COURT ERRED BY (1) MISAPPLYING DAUBERT STANDARD TO ADMIT TESTIMONY OF DEFENSE ACCIDENT RECONSTRUCTIONIST AND (2) EXCLUDING PROFFERED TESTIMONY AS TO DEFENDANT'S PATTERN OF RECKLESS DRIVING.

CIVIL

CASEY COUNTY

JAMES G. WEDDLE

Appellant Atty:

Appellant Name:

.....  
LAVIT, THEODORE H.  
MATTINGLY, JOSEPH H.

.....  
RODNEY D. DERRINGER  
RODNEY D. DERRINGER

Appellee Atty:

Appellee Name:

.....  
TRAVIS, JOE LYNN

.....  
OMAR E. LOPEZ-SAMAYOA

PANEL: NORTH/CENTRAL

LOCATION: FAYETTE COUNTY COURTHOUSE, CIRCUIT COURTROOM, 120 NORTH LIMESTONE, LEXINGTON, KENTUCKY

DATE: January 15, 2004

12:00 PM

PJ: BARBER

MILLER

SCHRODER

2002CA002159

WILLIAM SANDFORD VS ASHLAND, INC. ET AL.

CIVIL: WAS APPELLANT'S CASE PROPERLY DISMISSED BECAUSE OF ALLEGATIONS OF FALSIFIED SERVICE RECORD?

CIVIL

FAYETTE COUNTY

SHEILA R. ISAAC

Appellant Atty:

Appellant Name:

.....  
RUZICHO Jr, ANDREW J

.....  
WILLIAM C. SANDFORD Jr

Appellee Atty:

Appellee Name:

.....  
BARFIELD, MINDY G.

.....  
ASHLAND, INC.  
MARK SMITH  
VALVOLINE INSTANT OIL CHANGE  
ASHLAND, INC.  
MARK SMITH  
VALVOLINE INSTANT OIL CHANGE

EDELMAN, BARBARA B

PANEL: RESCHEDULED CASES AND MISC OR  
AL ADJUDICAMENT  
LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY  
DATE: January 06, 2004

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09:15 AM PJ: KNOFF VANMETER TACKETT

2002CA001109 ROBIN CULVER VS FRANCIS CULVER

2002CA001221 APPEAL FROM DIVISION OF MARITAL PROPERTY IN A DISSOLUTION ACTION. EFFECT OF CO-HABITATION AND  
SUBSEQUENT RE-MARRIAGE ON PROVISIONS OF SETTLEMENT AGREEMENT IN PREVIOUS DISSOLUTION  
ACTION; ASSIGNMENT OF MARITAL INTEREST IN REAL AND PERSONAL PROPERTY; AND SUFFICIENCY OF  
TRACING OF NON-MARITAL PROPERTY INTO MARITAL ASSETS.

CIVIL NELSON COUNTY LARRY D. RAIKES

Appellant Atty:

Appellant Name:

.....  
FLOYD, JASON P

.....  
ROBIN CULVER

HUBBARD, JOHN DOUGLAS

ROBIN CULVER

Appellee Atty:

Appellee Name:

.....  
GREGORY, DAWN LYNNE

.....  
FRANCIS WAYNE CULVER

LAVIT, THEODORE H.

FRANCIS WAYNE CULVER

\*\*NOTE: CONTINUED FROM DECEMBER 4, 2003

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01:00 PM PJ: GUIDUGLI DYCHE MCANULTY

2002CA001751 NOLLAIG PREVIS VS PETE DAILEY

PERSONAL INJURY CASE - TRUCK BICYCLE ACCIDENT - JURY VERDICT FOR DEFENDANT. ISSUES: DIRECTED  
VERDICT; FAILURE TO GRANT NEW TRIAL BASED UPON JUROR MISCONDUCT

CIVIL BOURBON COUNTY ROBERT OVERSTREET

Appellant Atty:

Appellant Name:

.....  
WEINBERG, DAVID A.

.....  
NOLLAIG PREVIS

Appellee Atty:

Appellee Name:

.....  
TRAVIS, THOMAS L.

.....  
PETE DAILEY

\*\*NOTE: CONTINUED FROM DECEMBER

PANEL: RESCHEDULED CASES AND MISC OR  
AL ARDUMENT  
LOCATION: 360 DEMOCRAT DRIVE, FRANKFORT, KENTUCKY  
DATE: January 06, 2004

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01:45 PM PJ: BUCKINGHAM BARBER EMBERTON  
2002CA001933 MARIE MOORE ET AL. VS ADDINGTON MINING, INC. ET AL.  
WORKER'S COMP./NEGLIGENCE ACTION

CIVIL PIKE COUNTY CHARLES E LOWE JR

Appellant Atty:

Appellant Name:

.....  
ADAMS, ELDRED E

.....  
BRADY AUSTIN MOORE  
MARIE MOORE  
MARIE MOORE  
MICHAEL LEANN MOORE

Appellee Atty:

Appellee Name:

.....  
CRYDER, BRUCE E.  
O'BRIEN, EILEEN M  
SHELTON, BILLY R

.....  
COLUMBIA GAS TRANSMISSION CORPORATION  
EMPLOYERS RISK SERVICES  
ADDINGTON MINING, INC.